

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

ELAINE McLAUGHLIN,)	
)	
Plaintiff,)	No. 08 C 1830
)	
v.)	Judge Bucklo
)	Magistrate Judge Keys
COUNTY OF COOK, d/b/a COOK)	
COUNTY HIGHWAY DEPARTMENT,)	
)	
Defendant.)	

PLAINTIFF'S MOTION TO AMEND SCHEDULING ORDER

Plaintiff, Elaine McLaughlin, by and through her attorneys, Barry A. Gomberg & Associates, Ltd., respectfully requests this Honorable Court to enter an order amending the existing scheduling order for submission of expert reports. In support of this motion, Plaintiff states the following:

1. On May 14, 2008, the parties filed a Report of the Parties Planning Meeting which was later adopted by the Court.
2. The scheduling order sets forth that Plaintiff is to submit the report of any retained experts by September 1, 2008 and that Defendant is to submit the report of any retained experts by October 7, 2008.
3. Plaintiff has considered retaining an actuarial expert to calculate her damages. The actuary recommended by Plaintiff's attorneys has become seriously ill and is now recovering from major and debilitating surgery to his head and neck which has rendered him unable to work as an expert at this time.
4. Due to the necessity of having to locate and retain another expert, Plaintiff will not be able to comply with the September 1, 2008 deadline regarding retained experts.

5. Plaintiff seeks an extension of time until November 1, 2008 to submit a report from a retained expert regarding her damages.

6. The extension requested herein would not alter the filing and briefing of dispositive motions in that Plaintiff's damages do not impact the substantive legal merits of the case.

7. On August 28, 2008, Plaintiff's attorneys attempted to speak to Donald R. Hallsten, Jr., Defendant's attorney, to ascertain his position regarding this motion. Plaintiff's attorneys were not able to reach Mr. Hallsten.

8. This motion is not brought to interpose any unjust delay or inconvenience onto the Court or Defendant.

WHEREFORE, Plaintiff, Elaine McLaughlin, respectfully request that this Honorable Court grant her an extension of time until November 1, 2008 to file an expert report regarding damages.

Respectfully submitted,

ELAINE McLAUGHLIN

By:

s/ Brian S. Schwartz

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Dated: August 29, 2008